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INDEX OTHER ORDER NO. 25

Regulation Change Proposal to Adopt Regulation Changes Dealing with gas Detection Requirements

| 1. | March 7, 2003 | Notice of hearing, Affidavit of publication, bulk mailing List for the Anchorage Daily News, confirmation e- |
|----|----------------|---|
| | | Mailing to legislature |
| 2. | March 7, 2003 | File opening request to AGO |
| 3. | March 13, 2003 | AGO memo re: File Opening |
| 4. | April 22, 2003 | Sign In Sheet |
| 5. | April 22, 2003 | Draft of Proposed regulation Change (4/21/03) |
| 6. | April 30, 2003 | Meeting Agenda Sign In Sheet |
| 7. | April 30, 2003 | Agencies submittal of proposed regulation change, |
| | - | Transcript and all backup documents for Dept of Law in |
| | | Juneau |
| 8. | April 30, 2003 | Minutes |

Other Order 25

MEMORANDUM

State of Alaska

Department of Law

To: Sarah Palin, Chair

DATE: June 17, 2003

Alaska Oil and Gas

Conservation Commission

FILE NO.: 993-03-0129

TELEPHONE NO.: 465-3600

FROM: Steven C. Weaver (

SUBJECT: Regulations re: gas detection

(20 AAC 25.066(b), (d))

Assistant Attorney General
Legislation/Regulations Section--Juneau

Under AS 44.62.060, we have reviewed the attached amendment of these regulations by the Alaska Oil and Gas Conservation Commission and approve the changes for filing by the lieutenant governor. I have reviewed this project under a specific delegation dated June 17, 2003 from the Regulations Attorney. A duplicate original of this memorandum is being furnished to the lieutenant governor, along with the two pages of regulations and the related documents.

You might wish to contact the lieutenant governor's office to confirm the filing date and effective date of the attached regulation changes.

The March 10, 2003 public notice and the June 4, 2003 certification order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

In accordance with AS 44.62.125(b)(6), some corrections have been made in the regulations, as shown on the attached copy.

SCW

cc w/enc:

Kevin Jardell, Assistant Commissioner & Regulations Contact

Department of Administration

Robert E. Mintz

Assistant Attorney General

Oil, Gas & Mining Section--Anchorage

PECEIVED
JUN 2 3 2003

Aleska Gil & Ges Cons. Commission Anchorage

MEMORANDUM

State of Alaska

Department of Law

To: Hon. Loren Leman Lieutenant Governor DATE: June 17, 2003

FILE NO.: 993-03-0129

TELEPHONE NO.: 465-3600

FROM: Steven C. Weaver

SUBJECT: Regulations re: gas detection

(20 AAC 25.066(b), (d))

Legislation/Regulations Section--Juneau

Assistant Attorney General

We have reviewed the attached regulations from the Alaska Oil and Gas Conservation Commission. I have reviewed this project under a specific delegation dated June 17, 2003 from the Regulations Attorney. A duplicate of this memorandum is being furnished to Sarah Palin, the commission chair, along with a copy of the regulations.

The Department of Law has reviewed the attached regulations against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum and the attached duplicate memorandum dated June 17, 2003 constitute the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The regulation changes were adopted by the Alaska Oil and Gas Conservation Commission after the close of the public comment period. The regulations refine requirements relating to gas detection systems for drilling and workover rigs.

The certification order for the regulations states that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made a few technical corrections to conform the regulations with the drafting manual under AS 44.62.060 and 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc:

Sarah Palin, Chair

Alaska Oil & Gas Conservation Commission

| Register | , | | 200 | 3 |
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| | | | | |

MISCELLANEOUS BOARDS,

| | CarTa |
|-----------------------------|--|
| If a BOP stack is not requi | red, a gas detection system that continuously performs self-checking or |
| | n-tested when drilling or workover operations begin, when a commission- |
| 20 AAC 25.066(b) is a | amended and a new subsection is added, to read: witnessed BOP test occurs, and no less frequently than |
| (b) A gas deter | ction system that continuously performs self-checking or diagnostics must six man |
| be function-tested whe | en a BOP stack is initially installed after a drill rig is set up or, if no BOP |
| of stack is required, wh | en drilling or workover operations begin, when a commission-witnessed |
| BOP test occurs, and r | no less frequently than once every six months. Other gas detection systems |
| must be calibrated and | tested when a BOP stack is initially installed after a drill rig is set up |
| Af no BOP stack is rec | quired, when drilling or workover operations begin, when a |
| commission-witnessec | BOP test occurs, and no less frequently than once every 30 days. The |
| operator shall maintain | at the drill rig an accessible record of gas detection system tests and |
| calibrations. | If a BOP stack is not required, other gas detection systems |
| | must be calibrated and tested when drilling or workover |
| | operations begin when a commission-witnessed BOP test |

- (d) Upon request of the operator, the commission may
- (1) waive the methane detection requirements of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for methane to accumulate;

occurs, and no less frequently than once ever

(2) allow the use of a single hydrogen sulfide sensor on site in place of the three sensing points required under (a)(3) of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for hydrogen sulfide to accumulate;

| Register | | 200 <u>3</u> | MISCELLANEOUS BOARDS |
|---------------|--------------|--------------------|--|
| | | | Center |
| • | (3) appro | ve a variance from | m the requirements of this section if the variance |
| provides at l | east an equa | lly effective mean | ns of gas detection. (Eff. 11/7/99, Register 152; am |
| //_ | , Re | gister) | |
| Authority: | AS 31.05 | .030 | |

Amended Regulation Dealing with Gas Detection Requirements

The Alaska Oil and Gas Conservation Commission has amended its regulation dealing with methane and hydrogen sulfide gas detection on drilling and workover rigs, 20 AAC 25.066. The Lieutenant Governor signed and filed the regulation change on June 18, 2003, with an effective date of July 18, 2003.

For further information or to obtain a copy of the amended regulation, contact Jody Colombie at (907) 793-1221, fax (907) 276-7542, or e-mail <u>Jody_Colombie@admin.state.ak.us.</u>

Subject: Post Hearing Notice

Date: Thu, 26 Jun 2003 09:30:46 -0800 From: jody_colombie@admin.state.ak.us

Organization: Alaska Oil and Gas Conservation Commission

Please publish the attached Post Hearing Notice.

Jody

1 1 post hearing notice rev .doc

Name: 1_1_post_hearing_notice rev_.doc

Type: WINWORD File (application/msword)

Encoding: base64

Subject: [Fwd: Filed Regulations]

Date: Wed, 18 Jun 2003 16:13:57 -0800

From: Sarah Palin < sarah palin@admin.state.ak.us>

Organization: AOGCC

To: "jody colombie@admin.state.ak.us" <jody colombie@admin.state.ak.us>,

Dan T Seamount dan_seamount@admin.state.ak.us,

Randolph A Ruedrich < randy ruedrich@admin.state.ak.us>

Subject: Filed Regulations

Date: Wed, 18 Jun 2003 16:00:18 -0800

From: Robert Pearson < Robert Pearson@gov.state.ak.us>

Organization: Alaska Office of the Governor

To: Kevin M Jardell kevin_jardell@admin.state.ak.us, Sarah H Palin kevin_jardell@admin.state.ak.us,

Barbara A Jordan

| jordan@law.state.ak.us |

The Lieutenant Governor today filed regulations from the Oil and Gas Conservation Commission re: Gas detection (20 AAC 25.066; AG file no. 993-03-0129). Effective date is July 18, 2003, publication in Register 167, October 2003. A hard copy packet will follow./Robert

April 30, 2003 - Open Meeting

ATTENDEES

Sarah Palin

Chair

Randy Ruedrich

Commissioner

Jody Colombie Robert Mintz

Special Staff Assistant

Assistant Attorney General, Department of Law

Palin

There are two agenda items this morning.

1. Approve Minutes from April 9, 2003.

2. The proposal for adoption of regulation changes to 20 AAC 25.066. Is there a motion to approve the agenda and to adopt our last meeting minutes?

Ruedrich:

So Moved.

Palin:

Seconded. Agenda is approved and out minutes from April 9th are

adopted.

Palin:

20 AAC 25.066 Gas Detection System. I need a Motion to Adopt the

changes.

Ruedrich:

So Moved.

Palin:

These changes were written April 22, 2003.

Palin: The second agenda item is the amendment to the Gas Detection System regulation 20 AAC 25.066. The Commission has paid special attention to the costs to private persons of this regulatory action. The commission has concluded that there is no adverse costs have been found. There has been a motion and it has been seconded.

Ruedrich: Has nothing to add.

Palin: Voting - Ya. Ruedrich: Voting - Yes.

Palin: The commissioners have adopted the changes to 20 AAC 25.066.

Approved by Commission

Dai aii i aiiii

May 28, 2003

Date

MEMORANDUM

STATE OF ALASKA

ALASKA OIL AND GAS CONSERVATION COMMISSION

TO:

Regulations Attorney

DATE:

April 30, 2003

Legislation/Regulation Section

Department of Law

SUBJECT:

Request for Legal

Review Of

Regulations Project on Oil and Gas 20 AAC 25.066(b)

and

20 AAC 25.066(d)

FROM: Sarah Palin

Regulations Contact

Department of Administration

We are requesting legal review and approval of the attached final regulation on gas detection requirements, which was adopted by Alaska Oil and Gas Conservation Commission.

Enclosed are the following documents:

- 1. the original and one copy of the final regulations for the Department of Law's use;
- 2. the original of the signed and dated adoption document;
- 3. the original of the public notice;
- 4. the original of the additional regulations notice information form distributed with the notice;
- 5. the original of the publishers' affidavit of publication;
- 6. the original of the affidavit of notice;
- 7. the original of the affidavit of oral hearing;
- 8. transcript pages from the $\underline{1}$ thru $\underline{5}$ public hearing;
- 9. affidavit for the relevant hearing.

We have worked with Assistant Attorney General Rob Mintz on the project. Upon completion of your review, please forward the regulation to the lieutenant governor for filing.

| Register | , | 200 | |
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MISCELLANEOUS BOARDS

20 AAC 25.066(b) is amended and a new subsection is added, to read:

(b) A gas detection system that continuously performs self-checking or diagnostics must be function-tested when a BOP stack is initially installed after a drill rig is set up or, if no BOP stack is required, when drilling or workover operations begin, when a commission-witnessed BOP test occurs, and no less frequently than once every six months. Other gas detection systems must be calibrated and tested when a BOP stack is initially installed after a drill rig is set up or, if no BOP stack is required, when drilling or workover operations begin, when a commission-witnessed BOP test occurs, and no less frequently than once every 30 days. The operator shall maintain at the drill rig an accessible record of gas detection system tests and calibrations.

- (d) Upon request of the operator, the commission may
- (1) waive the methane detection requirements of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for methane to accumulate;
- (2) allow the use of a single hydrogen sulfide sensor on site in place of the three sensing points required under (a)(3) of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for hydrogen sulfide to accumulate;

| Register, | 200 | MISCELLANI | EOUS BOARDS |
|---------------------|--------------------------|--------------------------|-----------------------------|
| (3) | approve a variance from | n the requirements of th | is section if the variance |
| provides at least a | n equally effective mean | s of gas detection. (Eff | . 11/7/99, Register 152; am |
| // | , Register) | | |
| Authority: AS | 31.05.030 | | |

| Register | , | | 200_ | |
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MISCELLANEOUS BOARDS

20 AAC 25.066(b) is amended and a new subsection is added, to read:

- (b) A gas detection system that continuously performs self-checking or diagnostics must be function-tested when a BOP stack is initially installed after a drill rig is set up **or**, **if no BOP stack is required, when drilling or workover operations begin**, when a commission-witnessed BOP test occurs, and no less frequently than once every six months. Other gas detection systems must be calibrated and tested when a BOP stack is initially installed after a drill rig is set up **or**, **if no BOP stack is required, when drilling or workover operations begin**, when a commission-witnessed BOP test occurs, and no less frequently than once every 30 days. The operator shall maintain at the drill rig an accessible record of gas detection system tests and calibrations.
 - (d) Upon request of the operator, the commission may
- (1) waive the methane detection requirements of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for methane to accumulate;
- (2) allow the use of a single hydrogen sulfide sensor on site in place of the three sensing points required under (a)(3) of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for hydrogen sulfide to accumulate;

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| (3) ap | oprove a variance from | the requirements | of this section | if the variance |
| provides at least an e | qually effective means | of gas detection. | (Eff. 11/7/99, | Register 152; am |
| //, | Register) | | | |
| | | | | |
| Authority: AS 31 | .05.030 | | | |

ORDER CERTIFYING THE CHANGES TO REGULATIONS OF THE ALASKA OIL AND GAS CONSERVATION COMMISSION

The attached two pages of regulations, dealing with gas detection requirements under 20 AAC 25, are hereby certified to be a correct copy of the regulation changes that the Alaska Oil and Gas Conservation Commission adopted at its April 30, 2003 meeting, under the authority of AS 31.05.030, after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Alaska Oil and Gas Conservation Commission paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE:

June 4, 2003 Anchorage, AK

Sarah Pakin

Chair

| FILING CERTIF | CATION |
|------------------|--|
| I, | Lieutenant Governor for the State of Alaska, certify that of |
| | , 2003 atm., I filed the attached regulations according to the |
| provisions of AS | 4.62.040 – 44.62.120. |
| | |
| | Lieutenant Governor |
| Effective: | · |
| Register: | |

STATE OF ALASKA NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA OIL AND GAS CONSERVATION COMMISSION

The Alaska Oil and Gas Conservation Commission ("AOGCC") proposes to adopt regulation changes in Title 20, Chapter 25, of the Alaska Administrative Code, dealing with gas detection requirements, including the following:

20 AAC 25.066 is proposed to be amended to accommodate unconventional drilling equipment and to provide for variances to certain gas detection requirements.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by writing to AOGCC, 333 W. 7th Avenue, Suite 100, Anchorage, AK 99501. The comments must be received no later than 4:30 p.m. on April 25, 2003.

Additionally, oral or written comments may be submitted at a hearing to be held on April 22, 2003, at 333 W. 7th Avenue, Suite 100, Anchorage, AK 99501. The hearing will begin at 9:00 a.m. and might be extended from day to day if necessary to accommodate those present before 9:30 a.m. who did not have an opportunity to comment.

If you are a person with a disability who may need a special accommodation, auxiliary aid or service, or alternative communication format in order to participate in the process on the proposed regulation, please contact Jody Colombie at 793-1221 by 4:00 p.m., April 15, 2003 to ensure that any necessary accommodations can be provided.

Copies of the proposed regulation changes may be obtained from the AOGCC office, 333 W. 7th Avenue, Anchorage, Alaska 99501, or by telephoning the AOGCC at 907-793-1221, or on the AOGCC website at:

http://www.state.ak.us/local/akpages/ADMIN/ogc/homeogc.htm.

After the public comment period ends, the AOGCC will either adopt this or another proposal dealing with the same subject, without further notice, or decide to take no action on it. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTEREST COULD BE AFFECTED. Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 31.05.030.

Statutes Being Implemented, Interpreted, or Made Specific: AS 31.05.030.

Fiscal Information: The proposed regulation changes are not expected to require an increased

appropriation.

Date: March 7, 2003

Sarah Palin Commissioner

Published March 10, 2003 AO 02314038

ADDITIONAL REGULATIONS NOTICE INFORMATION (AS 44.62.190(d))

- 1. Adopting agency: Alaska Oil and Gas Conservation Commission.
- 2. General subject of regulations: gas detection.
- 3. Citation of regulations: 20 AAC 25.066.
- 4. Reason for the proposed action: accommodation of unconventional drilling equipment.
- 5. Program category and BRU affected: Alaska Oil and Gas Conservation Commission.
- 6. Cost of implementation to the state agency: zero.
- 7. The name of the contact person for the regulations Sarah Palin, Alaska Oil and Gas Conservation Commission, 333 W. 7th Avenue, Suite 100, Anchorage, AK 99501, (907) 279-1433.
- 8. The origin of the proposed action: members of the regulated community and state agency.

9. Date: Ma

March 7, 2003

10. Prepared by:

Sarah Palin

Commissioner

Alaska Oil and Gas Conservation Commission

(907) 279-1433

Inchorage Daily News Affidavit of Publication

1001 Northway Drive, Anchorage, AK 99508

| AD# | DATE | <u>PO</u> | ACCOUNT | PRICE PER DAY | OTHER CHARGES | OTHER CHARGES #2 | OTHER CHARGES #3 | OTHER CHARGES #4 | OTHER CHARGES #5 | GRAND TOTAL |
|--------|------------|-----------|----------|-----------------------------|------------------|---------------------|---------------------|---------------------|---------------------|----------------|
| 736494 | 03/10/2003 | 02314038 | STOF0330 | \$200.22 \$200.22 | \$10.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$210.22 |

STATE OF ALASKA THIRD JUDICIAL DISTRICT

Kimberly A. Kirby, being first duly sworn on oath deposes and says that she is an advertising representative of the Anchorage Daily News, a daily newspaper.

That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on the above dates and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Subscribed and sworn to me before this date:

Notary Public in and for the State of Alaska. Third Division. Anchorage, Alaska

MY COMMISSION EXPIRES:

STATE OF ALASKA
NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF THE
ALASKA OIL AND GAS CONSERVATION
COMMISSION

The Alaska Oil and Gas Conservation Commission ("AOGCC") proposes to adopt regulation changes in Title 20, Chapter 25, of the Alaska Administrative Code, dealing with gas detection requirements, including the following:

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Additionally, oral or written comments may be submitted at a hearing to be held on April 22, 2003, at 333 W. 7th Avenue, Suite 100, Anchorage, AK 97501. The hearing will begin at 9:00 a.m. and might be extended from day to day if necessary to accommodate those present before 9:30 a.m. who did not have an opportunity to comment.

If you are a person with a disability who may need a special accommodation, auxiliary old or service, or alternative communication format in order to participate in the process on the proposed regulation, please confact Jody Colombie at 793-1221 by 4:00 p.m., April 15, 2003 to ensure that any necessory accommodations can be provided.

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http://www.state.ak.us/local/akpages/ADMIN/ogc/homeogc.htm

After the public comment period ends, the AÓGCC After the public comment period ends, the AOGCC will either adopt this or another proposal dealing with the same subject, without further notice, or decide to take no action on it. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTEREST COULD BE AFFECTED. Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 31.05.030.
Statutes Being Implemented, interpreted, or Made Specific: AS 31.05.030.
Fiscal Information: The proposed regulation changes are not expected to require an increased expression.

appropriation.

Date: March 7, 2003 Sarah Palin, Commissioner

Publish: March 10, 2003

| STATE OF ALASKA |) |
|-------------------------|-----------|
| THIRD JUDICIAL DISTRICT |) ss) |
| | í |

AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS AND FURNISHING OF ADDITIONAL INFORMATION

I, Jody J. Colombie, of Alaska Oil and Gas Conservation Commission being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to Title 20, Chapter 25 of the Alaska Administrative Code, dealing with gas detection requirements has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons as shown on the attached list;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulations;
- (5) electronically transmitted to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Legislative Library;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

As required by AS 44.62.190(d), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons as shown on the attached list and those in (5) and (6) of the list above. The additional regulations notice information also has been posted on the Alaska Online Public Notice System.

DATE: April 30, 2003

Anchorage, AK

Jody J. Colombie

Special Staff Assistant

SUBSCRIBED AND SWORN TO before me this 30th day of April 2003.

Notary Public in and for the

State of Alaska

My commission expires: 11/11/06



John Katz State of Alaska Alaska Governor's Office 444 North Capitol St., NW, Ste 336 Washington, DC 20001

Daniel Donkel 2121 North Bayshore Drive, Ste 1219 Miami, FL 33137 SD Dept of Env & Natural Resources Oil and Gas Program 2050 West Main, Ste 1 Rapid City, SD 57702 Alfred James 200 West Douglas, Ste 525 Wichita, KS 67202

Jim Yancey Seal-Tite International 500 Deer Cross Drive Madisonville, LA 70447 Christine Hansen Interstate Oil & Gas Compact Comm Excutive Director PO Box 53127 Oklahoma City, OK 73152 Citgo Petroleum Corporation PO Box 3758 Tulsa, OK 74136

Conoco Inc.
PO Box 1267
Ponca City, OK 74602-1267

Mary Jones XTO Energy, Inc. Cartography 810 Houston Street, Ste 2000 Ft. Worth, TX 76102-6298 Gregg Nady
Shell E&P Company
Onshore Exploration & Development
PO Box 576
Houston, TX 77001-0576

Michael Nelson Purvin Gertz, Inc. Library 600 Travis, Ste 2150 Houston, TX 77002 Paul Walker Chevron 1301 McKinney, Rm 1750 Houston, TX 77010 G. Scott Pfoff
Aurora Gas, LLC
10333 Richmond Ave, Ste 710
Houston, TX 77042

G. Havran Gaffney, Cline & Associations Library 1360 Post Oak Blvd., Ste 2500 Houston, TX 77056 David McCaleb IHS Energy Group GEPS 5333 Westheimer, Ste 100 Houston, TX 77056 William Holton, Jr.

Marathon Oil Company
Law Department
5555 San Fecipe St.
Houston, TX 77056-2799

W. Allen Huckabay ConocoPhillips Petroleum Company Offshore West Africa Exploration 600 North Dairy Ashford Houston, TX 77079-1175 T.E. Alford
ExxonMobil Exploration Company
PO Box 4778
Houston, TX 77210-4778

Corry Woolington ChevronTexaco Land-Alaska PO Box 36366 Houston, TX 77236

Texico Exploration & Production PO Box 36366
Houston, TX 77236

Chevron USA Alaska Division PO Box 1635 Houston, TX 77251 Donna Williams
World Oil
Statistics Editor
PO Box 2608
Houston, TX 77252

Chevron Chemical Company Library PO Box 2100 Houston, TX 77252-9987 Shelia McNulty
Financial Times
PO Box 25089
Houston, TX 77265-5089

Shawn Sutherland Unocal Revenue Accounting 14141 Southwest Freeway Sugar Land, TX 77478

Kelly Valadez
Tesoro Refining and Marketing Co.
Supply & Distribution
300 Concord Plaza Drive
San Antonio, TX 78216

James White Intrepid Prod. Co./Alaskan Crude 4614 Bohill SanAntonio, TX 78217 Doug Schultze XTO Energy Inc. 3000 North Garfield, Ste 175 Midland, TX 79705



George Vaught, Jr. PO Box 13557 Denver, CO 80201-3557 Jerry Hodgden Hodgden Oil Company 408 18th Street Golden, CO 80401-2433

Richard Neahring
NRG Associates
President
PO Box 1655
Colorado Springs, CO 80901

John Levorsen 200 North 3rd Street, #1202 Boise, ID 83702 Kay Munger Munger Oil Information Service, Inc PO Box 45738 Los Angeles, CA 90045-0738

John F. Bergquist
Babson and Sheppard
PO Box 8279
Long Beach, CA 90808-0279

Samuel Van Vactor Economic Insight Inc. 3004 SW First Ave. Portland, OR 97201 Thor Cutler OW-137 US EPA egion 10 1200 Sixth Ave. Seattle, WA 98101

Michael Parks
Marple's Business Newsletter
117 West Mercer St, Ste 200
Seattle, WA 98119-3960

Jim Arlington
Forest Oil
310 K Street, Ste 700
Anchorage, AK 99501

Duane Vaagen Fairweather 715 L Street, Ste 7 Anchorage, AK 99501

Robert Mintz
State of Alaska
Department of Law
1031 West 4th Ave., Ste 200
Anchorage, AK 99501

Ed Jones Aurora Gas, LLC Vice President 1029 West 3rd Ave., Ste 220 Anchorage, AK 99501 Richard Mount State of Alaska Department of Revenue 500 West 7th Ave., Ste 500 Anchorage, AK 99501

Julie Houle
State of Alaskan DNR
Div of Oil & Gas, Resource Eval.
550 West 7th Ave., Ste 800
Anchorage, AK 99501

Susan Hill State of Alaska, ADEC EH 555 Cordova Street Anchorage, AK 99501 Cammy Taylor 1333 West 11th Ave. Anchorage, AK 99501

Williams VanDyke
State of Alaska
Department of Natural Resources
550 West 7th Ave., Ste 800
Anchorage, AK 99501

Tim Ryherd
State of Alaska
Department of Natural Resources
550 West 7th Ave., Ste 800
Anchorage, AK 99501

Trustees for Alaska 1026 West 4th Ave., Ste 201 Anchorage, AK 99501-1980

Mark Wedman Halliburton 6900 Arctic Blvd. Anchorage, AK 99502 John Harris NI Energy Development Tubular 3301 C Street, Ste 208 Anchorage, AK 99503 Ciri Land Department PO Box 93330 Anchorage, AK 99503

Mark Dalton HDR Alaska 2525 C Street, Ste 305 Anchorage, AK 99503 Mark Hanley Anadarko 3201 C Street, Ste 603 Anchorage, AK 99503 Schlumberger
Drilling and Measurements
3940 Arctic Blvd., Ste 300
Anchorage, AK 99503

Jack Laasch Natchiq Vice President Government Affairs 3900 C Street, Ste 701 Anchorage, AK 99503 Baker Oil Tools 4730 Business Park Blvd., #44 Anchorage, AK 99503 Rob Crotty C/O CH2M HILL 301 West Nothern Lights Blvd Anchorage, AK 99503



Rose Ragsdale & Associates 3320 E. 41st Ave Anchorage, AK 99508

Richard Prentki
US Minerals Management Service
949 East 36th Ave., 3rd Floor
Anchorage, AK 99508

Thomas R. Marshall, Jr. 1569 Birchwood Street Anchorage, AK 99508

Jim Ruud Phillips Alaska, Inc. Land Department PO Box 100360 Anchorage, AK 99510

Perry Markley
Alyeska Pipeline Service Company
Oil Movements Department
1835 So. Bragaw - MS 575
Anchorage, AK 99515

David Cusato 600 West 76th Ave., #508 Anchorage, AK 99518

Bill Bocast
PACE Local 8-369
c/o BPX North Slope, Mailstop P-8
PO Box 196612
Anchorage, AK 99519

Sue Miller BP Exploration (Alaska), Inc. PO Box 196612 Anchorage, AK 99519-6612

Bob Shavelson Cook Inlet Keeper PO Box 3269 Homer, AK 99603 Arlen Ehm 2420 Foxhall Dr. Anchorage, AK 99504-3342

Jeff Walker
US Minerals Management Service
Regional Supervisor
949 East 36th Ave., Ste 308
Anchorage, AK 99508

Jim Scherr
US Minerals Management Service
Resource Evaluation
949 East 36th Ave., Ste 308
Anchorage, AK 99508

Chuck O'Donnell Veco Alaska,Inc. 949 East 36th Ave., Ste 500 Anchorage, AK 99508

Kristen Nelson IHS Energy PO Box 102278 Anchorage, AK 99510-2278

Robert Britch, PE Northern Consulting Group 2454 Telequana Dr. Anchorage, AK 99517

Tesoro Alaska Company PO Box 196272 Anchorage, AK 99519

J. Brock Riddle Marathon Oil Company Land Department PO Box 196168 Anchorage, AK 99519-6168

BP Exploration (Alaska), Inc. Land Manager PO Box 196612 Anchorage, AK 99519-6612

Peter McKay 55441 Chinook Rd Kenai, AK 99611 Greg Noble
Bureau of Land Management
Energy and Minerals
6881 Abbott Loop Rd
Anchorage, AK 99507

Jill Schneider US Geological Survey 4200 University Dr. Anchorage, AK 99508

Paul L. Craig Trading Bay Energy Corp 5432 East Northern Lights, Ste 610 Anchorage, AK 99508

Gordon Severson 3201 Westmar Cr. Anchorage, AK 99508-4336

Jordan Jacobsen
Alyeska Pipeline Service Company
Law Department
1835 So. Bragaw
Anchorage, AK 99515

Jeanne Dickey
BP Exploration (Alaska), Inc.
Legal Department
PO Box 196612
Anchorage, AK 99518

Jack Hakkila PO Box 190083 Anchorage, AK 99519

Kevin Tabler Unocal PO Box 196247 Anchorage, AK 99519-6247

Dudley Platt
D.A. Platt & Associates
9852 Little Diomede Cr.
Eagle River, AK 99577

Shannon Donnelly Phillips Alaska, Inc. HEST-Enviromental PO Box 66 Kenai, AK 99611 Kenai Peninsula Borough Economic Development Distr 14896 Kenai Spur Hwy #103A Kenai, AK 99611-7000 Penny Vadla Box 467 Ninilchik, AK 99639 Marc Kovac PACE 8-369, Prudhoe Bay Vice-Chair PO Box 2973 Seward, AK 99664

Claire Caldes US Fish & Wildlife Service Kenai Refuge PO Box 2139 Soldotna, AK 99669 James Gibbs PO Box 1597 Soldotna, AK 99669 Kenai National Wildlife Refuge Refuge Manager PO Box 2139 Soldotna, AK 99669-2139

John Tanigawa Evergreen Well Service Company PO Box 871845 Wasilla, AK 99687 Charles Boddy
Usibelli Coal Mine, Inc.
100 Cushman Street, Suite 210
Fairbanks, AK 99701-4659

Richard Wagner PO Box 60868 Fairbanks, AK 99706

Cliff Burglin PO Box 131 Fairbanks, AK 99707 Harry Bader
State of Alaska
Department of Natural Resources
3700 Airport Way
Fairbanks, AK 99709

Bernie Karl K&K Recycling Inc. PO Box 58055 Fairbanks, AK 99711

Williams Thomas
Arctic Slope Regional Corporation
Land Department
PO Box 129
Barrow, AK 99723

North Slope Borough PO Box 69 Barrow, AK 99723 Kurt Olson State of Alaska Staff to Senator Tom Wagoner State Capitol Rm 427 Juneau, AK 99801

Lt Governor Loren Leman State of Alaska PO Box 110015 Juneau, AK 99811-0015

Whilad 2.11.112- Inilation Alland Donne

Subject: Notice 20 AAC 25.066

Date: Mon, 10 Mar 2003 11:20:02 -0900

From: Jody Colombie < jody colombie@admin.state.ak.us>

Organization: Alaska Oil and Gas Conservation Commission

To: senator con bunde < senator con bunde@legis.state.ak.us>, senator john cowdery < senator john cowdery@legis.state.ak.us>, senator bettye davis < senator bettye davis@legis.state.ak.us>, senator fred dyson <senator fred dyson@legis.state.ak.us>, senator johnny ellis <senator johnny ellis@legis.state.ak.us>, senator kim elton < senator kim elton@legis.state.ak.us>, senator hollis french < senator hollis french@legis.state.ak.us>, senator lyda green <senator lyda green@legis.state.ak.us>, senator gretchen guess < senator gretchen guess@legis.state.ak.us>,

repent -> senator_lyman_hollman@legis.state.ak.us>, senator georgianna lincoln <senator georgianna lincoln@legis.state.ak.us>, senator scott ogan <senator scott ogan@legis.state.ak.us>, senator donald olson <senator donald olson@legis.state.ak.us>, senator ralph seekins <senator ralph seekins@legis.state.ak.us>, senator ben stevens <senator ben stevens@legis.state.ak.us>, senator gary stevens < senator gary stevens@legis.state.ak.us>, senator robin taylor <senator robin taylor@legis.state.ak.us>, senator gene therriault < senator gene therriault@legis.state.ak.us>, senator thomas wagoner < senator thomas wagoner@legis.state.ak.us>, senator gary wilken <senator gary wilken@legis.state.ak.us>,

representative_ethan_berkowitz < representative_ethan_berkowitz = representative_ethan_berkowitz < representative_mike_chenault@legis.state.ak.us>, representative_sharon_cissna < representative_sharon_cissna@legis.state.ak.us>, representative ethan berkowitz < representative ethan berkowitz@legis.state.ak.us>,

representative harry crawford <representative harry crawford@legis.state.ak.us>, representative eric croft < representative eric croft@legis.state.ak.us>, representative nancy dahlstrom < representative nancy dahlstrom@legis.state.ak.us>, representative hugh fate < representative hugh fate@legis.state.ak.us>, representative richard foster < representative richard foster@legis.state.ak.us>, representative les gara < representative les gara@legis.state.ak.us>, representative carl gatto < representative carl gatto@legis.state.ak.us>, representative max gruenberg < representative max gruenberg@legis.state.ak.us>, representative david guttenberg < representative david guttenberg@legis.state.ak.us>, representative john harris < representative john harris@legis.state.ak.us>, representative mike hawker < representative mike hawker@legis.state.ak.us>, representative cheryll heinze < representative cheryll heinze@legis.state.ak.us>, representative jim holm < representative jim holm@legis.state.ak.us>, representative_reggie_joule <representative_reggie_joule@legis.state.ak.us>, representative_mary_kapsner < representative mary kapsner@legis.state.ak.us>, representative beth kerttula < representative beth kerttula@legis.state.ak.us>, representative_vic_kohring <representative_vic_kohring@legis.state.ak.us>, representative bob lynn < representative bob lynn@legis.state.ak.us>, representative beverly masek < representative beverly masek@legis.state.ak.us>,

representative lesil mcguire < representative lesil mcguire@legis.state.ak.us>,





representative_kevin_meyer <representative_kevin_meyer@legis.state.ak.us>,
representative_carl_morgan <representative_carl_morgan@legis.state.ak.us>,
representative_carl_moses <representative_carl_moses@legis.state.ak.us>,
representative_morman_rokeberg <representative_morman_rokeberg@legis.state.ak.us
representative_ralph_samuels <representative_ralph_samuels@legis.state.ak.us>,
representative_paul_seaton <representative_paul_seaton@legis.state.ak.us>,
representative_bill_stoltz <representative_bill_stoltz@legis.state.ak.us>,
representative_bruce_weyhrauch <representative_bruce_weyhrauch@legis.state.ak.us>,
representative_jim_whitaker <representative_jim_whitaker@legis.state.ak.us>,
representative_bill_williams <representative_bill_williams@legis.state.ak.us>,
representative_peggy_wilson <representative_peggy_wilson@legis.state.ak.us>,
representative_kelly_wolf <representative_kelly_wolf@legis.state.ak.us>

Please find the attached Notice for the new regulations project on gas detection.

Jody Colombie Special Staff Assistant Alaska Oil and Gas Conservation Commission

gas detection notice.doc

Name: gas detection_notice.doc

Type: WINWORD File (application/msword)

Encoding: base64

Jody Colombie < jody_colombie@admin.state.ak.us>

• •





Subject: New Regulation 20 AAC 25.066

Date: Mon, 10 Mar 2003 11:17:14 -0900

From: Jody Colombie < jody colombie@admin.state.ak.us>

Organization: Alaska Oil and Gas Conservation Commission

To: senator con bunde <senator con bunde@legis.state.ak.us>, senator john cowdery < senator john cowdery@legis.state.ak.us>, senator bettye davis <senator bettye davis@legis.state.ak.us>, senator fred dyson < senator fred dyson@legis.state.ak.us>, senator johnny ellis <senator johnny ellis@legis.state.ak.us>, senator kim elton < senator kim elton@legis.state.ak.us>, senator hollis french <senator hollis french@legis.state.ak.us>, senator lyda green <senator lyda green@legis.state.ak.us>, senator gretchen guess < senator gretchen guess@legis.state.ak.us>, senator lyman hollman < senator lyman hollman@legis.state.ak.us>, senator_georgianna lincoln <senator georgianna lincoln@legis.state.ak.us>, senator scott ogan <senator scott ogan@legis.state.ak.us>, senator_donald_olson <senator_donald_olson@legis.state.ak.us>, senator_ralph_seekins <senator_ralph_seekins@legis.state.ak.us>, senator ben stevens < senator ben stevens@legis.state.ak.us>, senator gary stevens < senator gary stevens@legis.state.ak.us>, senator robin taylor < senator robin taylor@legis.state.ak.us>, senator gene therriault < senator gene therriault@legis.state.ak.us>, senator thomas wagoner < senator thomas wagoner@legis.state.ak.us>, senator gary wilken < senator gary wilken@legis.state.ak.us>, represenative_tom_anderson < represenative tom anderson@legis.state.ak.us>, representative_ethan_berkowitz < representative_ethan_berkowitz@legis.state.ak.us>, representaive mike chenault < representaive mike chenault@legis.state.ak.us>, representative sharon cissna < representative sharon cissna@legis.state.ak.us>, representative john_coghill <representative john coghill@legis.state.ak.us>, representative harry crawford < representative harry crawford@legis.state.ak.us>, representative_eric croft <representative_eric croft@legis.state.ak.us>, representative nancy dahlstrom < representative nancy_dahlstrom@legis.state.ak.us>, representative hugh fate < representative hugh fate@legis.state.ak.us>, representative_richard_foster < representative richard foster@legis.state.ak.us>, representative les gara < representative les gara@legis.state.ak.us>, representative carl gatto <representative carl gatto@legis.state.ak.us>, representative max gruenberg < representative max gruenberg@legis.state.ak.us>, representative_david_guttenberg <representative_david_guttenberg@legis.state.ak.us>, representative john harris <representative john harris@legis.state.ak.us>, representative mike hawker < representative mike hawker@legis.state.ak.us>, representative_cheryll_heinze <representative_cheryll_heinze@legis.state.ak.us>, representative jim holm <representative jim holm@legis.state.ak.us>, representative_reggie_joule <representative_reggie_joule@legis.state.ak.us>, representative mary kapsner < representative mary kapsner@legis.state.ak.us>, representative beth kerttula < representative beth kerttula@legis.state.ak.us>, representative_vic_kohring <representative_vic_kohring@legis.state.ak.us>, representative bob lynn < representative bob lynn@legis.state.ak.us>, representative beverly masek <representative_beverly_masek@legis.state.ak.us>, representative lesil mcguire < representative lesil mcguire@legis.state.ak.us>,





representative_kevin_meyer <representative_kevin_meyer@legis.state.ak.us>, representative_carl_morgan <representative_carl_morgan@legis.state.ak.us>, representative_carl_moses <representative_carl_moses@legis.state.ak.us>, representative_morman_rokeberg <representative_morman_rokeberg@legis.state.ak.us representative_ralph_samuels <representative_ralph_samuels@legis.state.ak.us>, representative_paul_seaton <representative_paul_seaton@legis.state.ak.us>, representative_bill_stoltz <representative_bill_stoltz@legis.state.ak.us>, representative_bruce_weyhrauch@legis.state.ak.us>, representative_jim_whitaker <representative_jim_whitaker@legis.state.ak.us>, representative_bill_williams <representative_bill_williams@legis.state.ak.us>, representative_peggy_wilson <representative_peggy_wilson@legis.state.ak.us>, representative_kelly_wolf</representative_kelly_wolf@legis.state.ak.us>

Please find the attached new regulation project on gas detection (20 AAC 25.066).

Jody Colombie Alaska Oil and Gas Conservation Commission

20 AAC 25.066 regulation.doc

Name: 20 AAC 25.066_regulation.doc

Type: WINWORD File (application/msword)

Encoding: base64

Jody Colombie < jody_colombie@admin.state.ak.us>

| STATE OF ALASKA |) |
|-------------------------|------|
| |) ss |
| THIRD JUDICIAL DISTRICT |) |
| |) |

AFFIDAVIT OF ORAL HEARING

I, Daniel T. Seamount, Jr., Commissioner of the Alaska Oil and Gas Conservation Commission, being sworn, state the following:

On April 22, 2003, at 9:00 a.m., in the hearing room of the Alaska Oil and Gas Conservation Commission at 333 West 7th Avenue, Suite 100, Anchorage, Alaska, I presided over a public hearing held in accordance with AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to Title 20, Chapter 25, of the Alaska Administrative Code, dealing with gas detection requirements.

DATE: June 4, 2003 Anchorage, AK

Daniel T. Seamount, Jr.

Commissioner

SUBSCRIBED AND SWORN TO before me this 4th day of June 2003.

Notary)Public in and for the

State of Alaska

My commission expires: 11/11/06

| 1 | | |
|----|--|--|
| 2 | ALASKA OIL AND GAS CONSERVATION COMMISSION | |
| 3 | PUBLIC HEARING | |
| 4 | | |
| 5 | In Re: | |
| 6 | A Proposal to Adopt Regulation Changes) in Title 29, Chapter 25 of the Alaska) | |
| 7 | Administrative Code) | |
| 8 | | |
| 9 | TRANSCRIPT OF PROCEEDINGS | |
| 10 | Anchorage, Alaska April 22, 2003 | |
| 11 | 9:00 o'clock a.m. | |
| 12 | | |
| 13 | COMMISSIONERS: | |
| 14 | DAN SEAMOUNT, Chairperson | |
| 15 | RANDY RUEDRICH | |
| 16 | | |
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| 19 | * * * * RECEIVED | |
| 20 | APR 3 0 2003 | |
| 21 | Alaska Oil & Gas Cons. Commission Anchorage | |
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METRO COURT REPORTING

PROCEEDINGS

(On record)

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COMMISSIONER SEAMOUNT: This hearing is called to order. The date is Tuesday, April 22, 2003. The time is 9:11 o'clock. We're located at 333 West Seventh Street, Anchorage, Alaska. This is the offices of the Alaska Oil and Gas Conservation Commission.

I'll start by introducing the bench. My name is Dan Seamount, and at this time the Chair is indisposed, I'm presiding at this hearing by agreement of a quorum of the Commissioners. Sarah Palin, the Chair, is -- as I said, is indisposed and cannot make it. To my left is Randy Ruedrich. Jan Scott of Metro Court Reporting is making a transcript of the proceedings. You can get a copy from Metro Court Reporting.

The subject of the hearing is a proposal to adopt regulation changes in Title 29, Chapter 25 of the Alaska Administrative Code, dealing with gas detection requirements, including the following; 20 AAC 25.066 is proposed to be amended to accommodate unconventional drilling equipment and to provide for variances to certain gas detection requirements.

A notice of the hearing was published on March 10th, 2003, in the Anchorage Daily News. Further written comments can be submitted up until 4:30 on April 25th, 2003.

METRO COURT REPORTING

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I notice that no comments have been received and I notice that there is no one in the room who would like to submit comments. Since there are no other comments, it is now appropriate to adjourn.

Well, before I do that, does Commissioner Ruedrich have anything to say?

> COMMISSIONER RUEDRICH: No. Thank you.

COMMISSIONER SEAMOUNT: And, I assume that no one in the room -- I'm getting the nods no, that no one in the room wants to make a comment; so since there are no other comments, it is now appropriate to adjourn the meeting.

> We are off the record. Thank you for your attendance. (Off record)

> > * END OF PROCEEDINGS * * *

CERTIFICATE 1 2 SUPERIOR COURT 3)ss. STATE OF ALASKA 4 I, Jerri Young, Notary Public in and for the State of 5 Alaska, do hereby certify: 6 THAT the annexed and foregoing pages numbered 2 through 3 contain a full, true and correct transcript of the 7 Public Hearing before the Alaska Oil and Gas Conservation Commission, taken by Janice S. Scott and transcribed by Janice 8 S. Scott: 9 THAT the Transcript has been prepared at the request of the Alaska Oil and Gas Conservation Commission, 333 West 10 Seventh Avenue, Anchorage, Alaska. 11 DATED at Anchorage, Alaska this 29th day of April, 12 2003. 13 SIGNED AND CERTIFIED TO BY: 14 15 16 Notary in and for Alaska My Commission Expires: 11/03/03 17 18 19 20 21 22 23

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| STATE OF ALASKA |) |
|-------------------------|-----------|
| THIRD JUDICIAL DISTRICT |) ss) |

AFFIDAVIT OF COMMISSION ACTION

I, Sarah Palin, Chair of the Alaska Oil and Gas Conservation Commission, being duly sworn, state the following:

The attached motion dealing with amending 20 AAC 25.066(b) and a new subsection (d) is added to provide for a gas detection requirement that continuously performs self-checking or diagnostics was passed by the Alaska Oil and Gas Conservation during a April 22, 2003 public hearing.

Date: April 30, 2003 Anchorage, AK

Sarah Palin

Chair

SUBSCRIBED AND SWORN TO before me this 30th day of April 2003.

Notary Public in and for the

State of Alaska

My commission expires: 11/11/06

ALASKA OIL AND GAS CONSERVATION COMMISSION April 30, 2003 Excerpt From Unapproved Minutes

Commissioner Randy Ruedrich moved and Chair Sarah Palin seconded the following motion:

That we amend 20 AAC 25.066(b) and a new subsection (d) is added.

The motion carried unanimously.

MEETING AGENDA **

Date: April 30, 2003

Time: 9:00 am

OLD BUSINESS

1. Approve minutes of last meeting.

GENERAL COMMISSION BUSINESS:

1. Consideration of Adopting 20 AAC 25.066(b) Gas Detection System.

** Circumstances may cause items to be either added or deleted from the agenda or a meeting cancellation. Please contact Jody Colombie at (907) 793-1221 for confirmation.

SIGN IN SHEET

| NAME (PLEASE PRINT) | <u>AFFILIATION</u> | <u>'ION</u> | | |
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ALASKA OIL & GAS CONSERVATION COMMISSION FAX 907-276-7542 PHONE 907-279-1433

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| URGENT. | ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE |

Subject: Alternate Compliance and Waivers

Date: Thu, 24 Apr 2003 15:09:50 -0800

From: jody_colombie@admin.state.ak.us

Organization: Alaska Oil and Gas Conservation Commission

To: Sarah H Palin < sarah_palin@admin.state.ak.us>,

Daniel T Seamount JR <dan_seamount@admin.state.ak.us>, Randolph A Ruedrich <randy_ruedrich@admin.state.ak.us>

Commissioners,

Please read the attached regulation drafted on April 21st by Rob. Friday April 25th is last day allowed for written comments.

Would you like me to set a public meeting for April 30th to talk about the consideration of adopting the regulation? If you accept the adoption, then the next step is for me to draft the final papers to send to the regulations attorney in Juneau.

Jody

1 20 AAC 25.505 regulation.doc

Name: 1_20 AAC 25.505_regulation.doc

Type: WINWORD File (application/msword)

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| | | |

20 AAC 25.066(b) is amended and a new subsection is added, to read:

(b) A gas detection system that continuously performs self-checking or diagnostics must be function-tested when a BOP stack is initially installed after a drill rig is set up or, if no BOP stack is required, when drilling or workover operations begin, when a commission-witnessed BOP test occurs, and no less frequently than once every six months. Other gas detection systems must be calibrated and tested when a BOP stack is initially installed after a drill rig is set up or, if no BOP stack is required, when drilling or workover operations begin, when a commission-witnessed BOP test occurs, and no less frequently than once every 30 days. The operator shall maintain at the drill rig an accessible record of gas detection system tests and calibrations.

• • •

- (d) Upon request of the operator, the commission may
- (1) waive the methane detection requirements of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for methane to accumulate;
- (2) allow the use of a single hydrogen sulfide sensor on site in place of the three sensing points required under (a)(3) of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for hydrogen sulfide to accumulate;

| Register, | 200 | MISCELLA | MISCELLANEOUS BOARDS | | | |
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| | | | | | | |
| (3) ap | pprove a variance fron | n the requirements of | f this section if | the variance | | |
| provides at least an e | equally effective mean | s of gas detection. (1 | Eff. 11/7/99, Re | egister 152; am | | |
| | Register) | | | | | |
| | | | | | | |
| Authority: AS 31 | 1.05.030 | | | | | |

STATE OF ALASKA OIL AND GAS CONSERVATION COMMISSION

Gas Detection Regulation 20 AAC 25.066

DATE: April 22, 2003

TIME: 9:00 am

| NAME – AFFILIATION | ADDRESS | S/PHONE NUMBER | TESTIFY (Yes or No) |
|--------------------|----------------|----------------|--|
| (PLEASE PRINT) | | | |
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| \Meeting Sign-In | | | |

MEMORANDUM

State of Alaska

Department of Law

To: The Hon. Sarah Palin

Commissioner

Alaska Oil and Gas Conservation

Commission

Date: March 13, 2003

File No.: 993-03-0129

Tel. No.: 465-3600

From: Deborah E. Behr

Assistant Attorney General and Regulations Attorney

Legislation and Regulations Section

Re: Regulations File Opening Re:

AOGCC: Gas Detection

(20 AAC 25.066)

We have received the commission's memorandum of March 7, 2003 regarding this project, along with a copy of the proposed regulations. The project has been assigned to Assistant Attorney General Robert Mintz, phone number 269-5100.

Our department's file number for this project is 993-03-0129. This file number should be used on any further correspondence pertaining to this project.

DEB:pvp

cc: Kevin Jardell, Regulations Contact

Dept. of Administration

Robert Pearson, AAC Coordinator Lt. Governor's Office of the Governor

Robert Mintz Assistant Attorney General Anchorage

MEMORANDUM

STATE OF ALASKA

ALASKA OIL AND GAS CONSERVATION COMMISSION

TO:

Deborah E. Behr

DATE:

March 7, 2003

Assistant Attorney General

And Regulations Attorney

Legislation and Regulations Section

SUBJECT:

File-opening request for

new regulations project

on gas detection (20 AAC 25.066)

FROM:

Sarah Palin

Commissioner

We are requesting that you open a new file for a regulations project regarding changes in Title 20, Chapter 25, of the Alaska Administrative Code, dealing with gas detection (20 AAC 25.066). Enclosed is a copy of the public notice, Additional Regulations Notice Information, and a draft of the regulation.

Please assign assistant attorney general Robert Mintz to this project. Our contact person for the project is Sarah Palin at 793-1221.

SP/jjc

STATE OF ALASKA NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA OIL AND GAS CONSERVATION COMMISSION

The Alaska Oil and Gas Conservation Commission ("AOGCC") proposes to adopt regulation changes in Title 20, Chapter 25, of the Alaska Administrative Code, dealing with gas detection requirements, including the following:

20 AAC 25.066 is proposed to be amended to accommodate unconventional drilling equipment and to provide for variances to certain gas detection requirements.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by writing to AOGCC, 333 W. 7th Avenue, Suite 100, Anchorage, AK 99501. The comments must be received no later than 4:30 p.m. on April 25, 2003.

Additionally, oral or written comments may be submitted at a hearing to be held on April 22, 2003, at 333 W. 7th Avenue, Suite 100, Anchorage, AK 99501. The hearing will begin at 9:00 a.m. and might be extended from day to day if necessary to accommodate those present before 9:30 a.m. who did not have an opportunity to comment.

If you are a person with a disability who may need a special accommodation, auxiliary aid or service, or alternative communication format in order to participate in the process on the proposed regulation, please contact Jody Colombie at 793-1221 by 4:00 p.m., April 15, 2003 to ensure that any necessary accommodations can be provided.

Copies of the proposed regulation changes may be obtained from the AOGCC office, 333 W. 7th Avenue, Anchorage, Alaska 99501, or by telephoning the AOGCC at 907-793-1221, or on the AOGCC website at:

http://www.state.ak.us/local/akpages/ADMIN/ogc/homeogc.htm.

After the public comment period ends, the AOGCC will either adopt this or another proposal dealing with the same subject, without further notice, or decide to take no action on it. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTEREST COULD BE AFFECTED. Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 31.05.030.

Statutes Being Implemented, Interpreted, or Made Specific: AS 31.05.030.

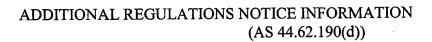
Fiscal Information: The proposed regulation changes are not expected to require an increased

appropriation.

Date: March 7, 2003

Sarah Palin Commissioner

Published March 10, 2003 AO 02314038



- 1. Adopting agency: Alaska Oil and Gas Conservation Commission.
- 2. General subject of regulations: gas detection.
- 3. Citation of regulations: 20 AAC 25.066.
- 4. Reason for the proposed action: accommodation of unconventional drilling equipment.
- 5. Program category and BRU affected: Alaska Oil and Gas Conservation Commission.
- 6. Cost of implementation to the state agency: zero.
- 7. The name of the contact person for the regulations Sarah Palin, Alaska Oil and Gas Conservation Commission, 333 W. 7th Avenue, Suite 100, Anchorage, AK 99501, (907) 279-1433.
- 8. The origin of the proposed action: members of the regulated community and state agency.

9. Date:

March 7, 2003

10. Prepared by:

Sarah Palin Commissioner

Alaska Oil and Gas Conservation Commission

(907) 279-1433

| Register, | 2003 MISCELLANEOUS BOARDS |
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20 AAC 25.066(b) is amended and a new subsection is added, to read:

(b) A gas detection system that continuously performs self-checking or diagnostics must be function-tested when a BOP stack is initially installed after a drill rig is set up or, if no BOP stack is required, when drilling or workover operations begin, when a commission-witnessed BOP test occurs, and no less frequently than once every six months. Other gas detection systems must be calibrated and tested when a BOP stack is initially installed after a drill rig is set up or, if no BOP stack is required, when drilling or workover operations begin,, when a commission-witnessed BOP test occurs, and no less frequently than once every 30 days. The operator shall maintain at the drill rig an accessible record of gas detection system tests and calibrations.

• • •

- (d) Upon request of the operator, the commission may
- (1) waive the methane detection requirements of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for methane to accumulate;
- (2) allow the use of a single hydrogen sulfide sensor on site in place of the three sensing points required under (a)(3) of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for hydrogen sulfide to accumulate;

| Register, | 2003 MISCELLANEOUS BOARDS | | | | |
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| (3) approve a varia | ance from the require | nents of this section | n if the variance | | |
| provides at least an equally effecti | ive means of gas detec | ction. (Eff. 11/7/99 | , Register 152; am | | |
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| Authority: AS 31.05.030 | | | | | |

| STATE OF ALASKA | | NOTICE TO | PUBLI | SHER | | ERTISING ORDER NO. |
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| ADVERTISING | AFFIDAVIT OF PUB | LICATION (PART 2 OF | THIS FORM | ISING ORDER NO. SERTIFICATION WITH ATTACHED COPY | AO-C | 2314038 |
| ORDER | ADVERTISEMENT M | UST BE SUBMITTED W | ITH INVOICE | · · · · · · · · · · · · · · · · · · · | | |
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| F AOGCC | | | | AGENCY CONTACT | | DATE OF A.O. |
| ^R 333 W 7th Ave, Ste 100 | | | - | Jody Colombie | | March 6, 2003 |
| O Anchorage, AK 99501 | | • | | PHONE | | PCN |
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STATE OF ALASKA NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA OIL AND GAS CONSERVATION COMMISSION

The Alaska Oil and Gas Conservation Commission ("AOGCC") proposes to adopt regulation changes in Title 20, Chapter 25, of the Alaska Administrative Code, dealing with gas detection requirements, including the following:

20 AAC 25.066 is proposed to be amended to accommodate unconventional drilling equipment and to provide for variances to certain gas detection requirements.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by writing to AOGCC, 333 W. 7th Avenue, Suite 100, Anchorage, AK 99501. The comments must be received no later than 4:30 p.m. on April 25, 2003.

Additionally, oral or written comments may be submitted at a hearing to be held on April 22, 2003, at 333 W. 7th Avenue, Suite 100, Anchorage, AK 99501. The hearing will begin at 9:00 a.m. and might be extended from day to day if necessary to accommodate those present before 9:30 a.m. who did not have an opportunity to comment.

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Copies of the proposed regulation changes may be obtained from the AOGCC office, 333 W. 7th Avenue, Anchorage, Alaska 99501, or by telephoning the AOGCC at 907-793-1221, or on the AOGCC website at:

http://www.state.ak.us/local/akpages/ADMIN/ogc/homeogc.htm.

After the public comment period ends, the AOGCC will either adopt this or another proposal dealing with the same subject, without further notice, or decide to take no action on it. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTEREST COULD BE AFFECTED. Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 31.05.030.

Statutes Being Implemented, Interpreted, or Made Specific: AS 31.05.030.

Fiscal Information: The proposed regulation changes are not expected to require an increased

appropriation.

Date: March 7, 2003

Sarah Palin Commissioner

Published March 10, 2003 AO 02314038

CDANID

Anchorage Daily News Affidavit of Publication

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1001 Northway Drive, Anchorage, AK 99508

| AD# | DATE | <u>PO</u> | ACCOUNT | PRICE PER DAY | OTHER CHARGES | OTHER CHARGES #2 | OTHER CHARGES #3 | CHARGES #4 | CHARGES #5 | TOTAL |
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| 736494 | 03/10/2003 | 02314038 | STOF0330 | \$200.22 \$200.22 | \$10.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$210.22 |

STATE OF ALASKA THIRD JUDICIAL DISTRICT

Kimberly A. Kirby, being first duly sworn on oath deposes and says that she is an advertising representative of the Anchorage Daily News, a daily newspaper.

That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on the above dates and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed Xumbuly H. Ximb

Subscribed and sworn to me before this date:

Notary Public in and for the State of Alaska. Third Division. Anchorage, Alaska

MY COMMISSION EXPIRES:

STATE OF ALASKA
NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF THE
ALASKA OIL AND GAS CONSERVATION
COMMISSION

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Statutory Authority: AS 31.05.030.
Statutes Being Implemented, Interpreted, or Made Specific: AS 31.05.030.

Specific: AS 31.05.030.
Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

Date: March 7, 2003 Sarah Palin, Commissioner

Publish: March 10, 2003

STATE OF ALASKA **ADVERTISING**

NOTICE TO PUBLISHER

ADVERTISING ORDER NO.

AO-02314038

INVOICE WUST BE IN TRIPLICATE SHOWING ADVERTISING ORDER NO AFFIDAVIT OF PUBLICATION (PART 2 OF THIS FORM) WITH ATTACHED COPY OF **ORDER** ADVERTISEMENT MUST BE SUBMITTED WITH INVOICE SEE BOTTOM FOR INVOICE ADDRES

| F | AOGCC | AGENCY CONTACT | DATE OF A.O. | | |
|---|--|---|---------------|--|--|
| R | 333 West 7 th Avenue, Suite 100 | Jody Colombie | March 6, 2003 | | |
| 0 | Anchorage, AK 99501 | PHOÑE | PCN | | |
| M | - | (907) 793 -1221 | | | |
| | | DATES ADVERTISEMENT REQUIRED: | | | |
| T | Anchorage Daily News | March/0,2003 | | | |
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| | Anchorage, AK 99514 | THE MATERIAL BETWEEN THE DOUBLE LINES MUST BE PRI ENTIRETY ON THE DATES SHOWN. | | | |
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AFFIDAVIT OF PUBLICATION

| United states of America |
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| division. |
| Before me, the undersigned, a notary public this day personally appeared |
| who, being first duly sworn, according to law, says that |
| he/she is the of |
| Published at in said divisionand |
| state of and that the advertisement, of which the annexed |
| is a true copy, was published in said publication on the day of |
| 2003, and thereafter for consecutive days, the last |
| publication appearing on the day of, 2003, and that |
| the rate charged thereon is not in excess of the rate charged private |
| individuals. |
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| Subscribed and sworn to before me |
| This day of 2003, |
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| Notary public for state of |
| My commission expires |
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REMINDER

INVOICE MUST BE IN TRIPLICATE AND MUST REFERENCE THE ADVERTISING ORDER NUMBER.

A CERTIFIED COPY OF THIS AFFIDAVIT OF PUBLICATION MUST BE SUBMITTED WITH THE INVOICE.

ATTACH PROOF OF PUBLICATION HERE.

Subject: Re: Ad Order

Date: 07 Mar 2003 16:08:56 -0900

From: Legal Ads Anchorage Daily News <legalads@adn.com>
To: Jody Colombie <jody colombie@admin.state.ak.us>

Hi Jody:

Following is the confirmation information on your Monday ad. Thank you for clearing up the run date for me. Sometimes Fridays are like Mondays around here, thank goodness it is the weekend. Anyway, here is the infomation.

Account Number: STOF 0330 Legal Ad Number: 736494

Publication Date(s): March 10, 2003

Your Reference #:02314038

Total: \$210.22

Thank You and Have A GREAT Weekend, Kim Kirby Anchorage Daily News Legal Classified Representative E-Mail: legalads@adn.com Phone: (907) 257-4296 Fax: (907) 279-8170

On Friday, March 7, 2003, Jody Colombie <jody_colombie@admin.state.ak.us> wrote: >
>Please publish the attached.
>
>Jody

Subject: Notice 20 AAC 25.066

Date: Mon, 10 Mar 2003 11:20:02 -0900

From: Jody Colombie < jody colombie@admin.state.ak.us>

Organization: Alaska Oil and Gas Conservation Commission

To: senator con bunde <senator con bunde@legis.state.ak.us>, senator john cowdery < senator john cowdery@legis.state.ak.us>, senator bettye davis <senator bettye davis@legis.state.ak.us>, senator fred dyson <senator fred dyson@legis.state.ak.us>, senator johnny ellis < senator johnny ellis@legis.state.ak.us>, senator kim elton < senator kim elton@legis.state.ak.us>, senator hollis french < senator hollis french@legis.state.ak.us>, senator lyda green < senator lyda green@legis.state.ak.us>, senator gretchen guess < senator gretchen guess@legis.state.ak.us>,

repent -> senator_lyman_hollman (senator_lyman_hollman@legis.state.ak.us), senator georgianna lincoln <senator georgianna lincoln@legis.state.ak.us>, senator scott ogan <senator scott ogan@legis.state.ak.us>, senator donald olson <senator donald olson@legis.state.ak.us>, senator ralph seekins <senator ralph seekins@legis.state.ak.us>, senator ben stevens < senator ben stevens@legis.state.ak.us>, senator gary stevens < senator gary stevens@legis.state.ak.us>, senator robin taylor < senator robin taylor@legis.state.ak.us>, senator gene therriault <senator gene therriault@legis.state.ak.us>, senator thomas wagoner < senator thomas wagoner@legis.state.ak.us>, senator gary wilken <senator gary wilken@legis.state.ak.us>,

representative_ethan_berkowitz <representative_ethan_berkowitz@legis.state.ak.us>,

representative_ethan_berkowitz <representative_ethan_berkowitz@legis.state.ak

representative_mike_chenault@legis.state.ak.us>,

representative_sharon_cissna <representative_sharon_cissna@legis.state.ak.us>, representative ethan berkowitz < representative ethan berkowitz@legis.state.ak.us>, representative sharon cissna < representative sharon cissna@legis.state.ak.us>, representative john coghill < representative john coghill@legis.state.ak.us>, representative harry crawford < representative harry crawford@legis.state.ak.us>, representative eric croft < representative eric croft@legis.state.ak.us>, representative nancy dahlstrom < representative nancy dahlstrom@legis.state.ak.us>, representative hugh fate < representative hugh fate@legis.state.ak.us>, representative richard foster < representative richard foster@legis.state.ak.us>, representative les gara < representative les gara@legis.state.ak.us>, representative carl gatto < representative carl gatto@legis.state.ak.us>, representative max gruenberg < representative max gruenberg@legis.state.ak.us>, representative david guttenberg < representative david guttenberg@legis.state.ak.us>, representative john harris representative john harris@legis.state.ak.us>, representative mike hawker < representative mike hawker@legis.state.ak.us>, representative cheryll heinze representative cheryll heinze@legis.state.ak.us>, representative iim holm < representative iim holm@legis.state.ak.us>, representative reggie joule < representative reggie joule@legis.state.ak.us>, representative mary kapsner erepresentative mary kapsner@legis.state.ak.us, representative beth kerttula < representative beth kerttula@legis.state.ak.us>, representative vic kohring < representative vic kohring@legis.state.ak.us>, representative bob lynn < representative bob lynn@legis.state.ak.us>, representative beverly masek < representative beverly masek@legis.state.ak.us>,

representative_kevin_meyer <representative_kevin_meyer@legis.state.ak.us>,
representative_carl_morgan <representative_carl_morgan@legis.state.ak.us>,
representative_carl_moses <representative_carl_moses@legis.state.ak.us>,
representative_morman_rokeberg <representative_morman_rokeberg@legis.state.ak.us
representative_ralph_samuels <representative_ralph_samuels@legis.state.ak.us>,
representative_paul_seaton <representative_paul_seaton@legis.state.ak.us>,
representative_bill_stoltz <representative_bill_stoltz@legis.state.ak.us>,
representative_bruce_weyhrauch <representative_bruce_weyhrauch@legis.state.ak.us>,
representative_jim_whitaker <representative_jim_whitaker@legis.state.ak.us>,
representative_bill_williams </representative_bill_williams@legis.state.ak.us>,

representative peggy wilson < representative peggy wilson@legis.state.ak.us>,

representative kelly wolf < representative kelly wolf@legis.state.ak.us >

Please find the attached Notice for the new regulations project on gas detection.

Jody Colombie Special Staff Assistant Alaska Oil and Gas Conservation Commission

gas_detection_notice.doc

Name: gas detection notice.doc

Type: WINWORD File (application/msword)

Encoding: base64

Jody Colombie < <u>jody_colombie@admin.state.ak.us</u>>

Subject: New Regulation 20 AAC 25.066 Date: Mon, 10 Mar 2003 11:17:14 -0900

From: Jody Colombie < jody_colombie@admin.state.ak.us>

Organization: Alaska Oil and Gas Conservation Commission

To: senator con bunde < senator con bunde@legis.state.ak.us>, senator john cowdery < senator john cowdery@legis.state.ak.us>, senator bettye davis < senator bettye davis@legis.state.ak.us>, senator fred dyson <senator fred dyson@legis.state.ak.us>, senator johnny ellis < senator johnny ellis@legis.state.ak.us>, senator kim elton < senator kim elton@legis.state.ak.us>, senator hollis french <senator hollis french@legis.state.ak.us>, senator lyda green < senator lyda green@legis.state.ak.us>, senator gretchen guess < senator gretchen guess@legis.state.ak.us>, senator lyman hollman < senator lyman hollman@legis.state.ak.us>, senator georgianna lincoln < senator georgianna lincoln@legis.state.ak.us>, senator scott ogan <senator scott ogan@legis.state.ak.us>, senator donald olson <senator donald olson@legis.state.ak.us>, senator ralph seekins < senator ralph seekins@legis.state.ak.us>, senator ben stevens < senator ben stevens@legis.state.ak.us>, senator_gary_stevens <senator_gary_stevens@legis.state.ak.us>, senator robin taylor < senator robin taylor@legis.state.ak.us>, senator gene therriault <senator gene therriault@legis.state.ak.us>, senator thomas wagoner < senator thomas wagoner@legis.state.ak.us>, senator gary wilken <senator gary wilken@legis.state.ak.us>, representaive tom anderson < representaive tom anderson@legis.state.ak.us>, representative ethan berkowitz < representative ethan berkowitz@legis.state.ak.us >, representative mike chenault <representative mike chenault@legis.state.ak.us>, representative sharon cissna < representative sharon cissna@legis.state.ak.us>, representative john coghill < representative john coghill@legis.state.ak.us >, representative harry crawford < representative harry crawford@legis.state.ak.us >, representative eric croft < representative eric croft@legis.state.ak.us>, representative nancy dahlstrom < representative nancy dahlstrom@legis.state.ak.us>, representative hugh fate < representative hugh fate@legis.state.ak.us>, representative richard foster < representative richard foster@legis.state.ak.us>, representative les gara < representative les gara@legis.state.ak.us>, representative carl gatto < representative carl gatto@legis.state.ak.us>, representative_max_gruenberg <representative_max gruenberg@legis.state.ak.us>, representative david guttenberg < representative david guttenberg@legis.state.ak.us >, representative john harris < representative john harris@legis.state.ak.us>, representative mike hawker < representative mike hawker@legis.state.ak.us>, representative cheryll heinze representative cheryll heinze@legis.state.ak.us>, representative jim holm < representative jim holm@legis.state.ak.us>, representative reggie joule < representative reggie joule@legis.state.ak.us>, representative mary kapsner erepresentative mary kapsner@legis.state.ak.us, representative beth kerttula < representative beth kerttula@legis.state.ak.us >, representative vic kohring < representative vic kohring@legis.state.ak.us>, representative bob lynn <representative bob lynn@legis.state.ak.us>, representative beverly masek < representative beverly masek@legis.state.ak.us>, representative lesil mcguire < representative lesil mcguire@legis.state.ak.us>,

representative_kevin_meyer <representative_kevin_meyer@legis.state.ak.us>,
representative_carl_morgan <representative_carl_morgan@legis.state.ak.us>,
representative_carl_moses <representative_carl_moses@legis.state.ak.us>,
representative_morman_rokeberg <representative_morman_rokeberg@legis.state.ak.us
representative_ralph_samuels <representative_ralph_samuels@legis.state.ak.us>,
representative_paul_seaton <representative_paul_seaton@legis.state.ak.us>,
representative_bill_stoltz <representative_bill_stoltz@legis.state.ak.us>,
representative_bruce_weyhrauch <representative_bruce_weyhrauch@legis.state.ak.us>,
representative_jim_whitaker <representative_jim_whitaker@legis.state.ak.us>,
representative_bill_williams <representative_bill_williams@legis.state.ak.us>,
representative_peggy_wilson <representative_peggy_wilson@legis.state.ak.us>,
representative_kelly_wolf <representative_kelly_wolf@legis.state.ak.us>

Please find the attached new regulation project on gas detection (20 AAC 25.066).

Jody Colombie
Alaska Oil and Gas Conservation Commission

20 AAC 25.066 regulation.doc

Name: 20 AAC 25.066_regulation.doc

Type: WINWORD File (application/msword)

Encoding: base64

Jody Colombie < jody colombie@admin.state.ak.us>

John Katz
State of Alaska
Alaska Governor's Office
444 North Capitol St., NW, Ste 336
Washington, DC 20001

Daniel Donkel 2121 North Bayshore Drive, Ste 1219 Miami, FL 33137 SD Dept of Env & Natural Resources Oil and Gas Program 2050 West Main, Ste 1 Rapid City, SD 57702 Alfred James 200 West Douglas, Ste 525 Wichita, KS 67202

Jim Yancey
Seal-Tite International
500 Deer Cross Drive
Madisonville, LA 70447

Christine Hansen Interstate Oil & Gas Compact Comm Excutive Director PO Box 53127 Oklahoma City, OK 73152 Citgo Petroleum Corporation PO Box 3758 Tulsa, OK 74136

Conoco Inc.
PO Box 1267
Ponca City, OK 74602-1267

Mary Jones XTO Energy, Inc. Cartography 810 Houston Street, Ste 2000 Ft. Worth, TX 76102-6298 Gregg Nady
Shell E&P Company
Onshore Exploration & Development
PO Box 576
Houston, TX 77001-0576

Michael Nelson Purvin Gertz, Inc. Library 600 Travis, Ste 2150 Houston, TX 77002 Paul Walker Chevron 1301 McKinney, Rm 1750 Houston, TX 77010 G. Scott Pfoff Aurora Gas, LLC 10333 Richmond Ave, Ste 710 Houston, TX 77042

G. Havran Gaffney, Cline & Associations Library 1360 Post Oak Blvd., Ste 2500 Houston, TX 77056 David McCaleb IHS Energy Group GEPS 5333 Westheimer, Ste 100 Houston, TX 77056 William Holton, Jr.
Marathon Oil Company
Law Department
5555 San Fecipe St.
Houston, TX 77056-2799

W. Allen Huckabay ConocoPhillips Petroleum Company Offshore West Africa Exploration 600 North Dairy Ashford Houston, TX 77079-1175 T.E. Alford
ExxonMobil Exploration Company
PO Box 4778
Houston, TX 77210-4778

Corry Woolington ChevronTexaco Land-Alaska PO Box 36366 Houston, TX 77236

Texico Exploration & Production PO Box 36366 Houston, TX 77236

Chevron USA Alaska Division PO Box 1635 Houston, TX 77251 Donna Williams World Oil Statistics Editor PO Box 2608 Houston, TX 77252

Shawn Sutherland

Chevron Chemical Company Library PO Box 2100 Houston, TX 77252-9987 Shelia McNulty Financial Times PO Box 25089 Houston, TX 77265-5089

Unocal
Revenue Accounting
14141 Southwest Freeway
Sugar Land, TX 77478

Kelly Valadez
Tesoro Refining and Marketing Co.
Supply & Distribution
300 Concord Plaza Drive
San Antonio, TX 78216

James White Intrepid Prod. Co./Alaskan Crude 4614 Bohill SanAntonio, TX 78217 Doug Schultze
XTO Energy Inc.
3000 North Garfield, Ste 175
Midland, TX 79705

Robert Gravely 7681 South Kit Carson Drive Littleton, CO 80122

Richard Neahring
NRG Associates
President
PO Box 1655
Colorado Springs, CO 80901

John F. Bergquist Babson and Sheppard PO Box 8279 Long Beach, CA 90808-0279

Michael Parks
Marple's Business Newsletter
117 West Mercer St, Ste 200
Seattle, WA 98119-3960

Robert Mintz
State of Alaska
Department of Law
1031 West 4th Ave., Ste 200
Anchorage, AK 99501

Julie Houle
State of Alaskan DNR
Div of Oil & Gas, Resource Eval.
550 West 7th Ave., Ste 800
Anchorage, AK 99501

Williams VanDyke State of Alaska Department of Natural Resources 550 West 7th Ave., Ste 800 Anchorage, AK 99501

Mark Wedman Halliburton 6900 Arctic Blvd. Anchorage, AK 99502

Mark Dalton HDR Alaska 2525 C Street, Ste 305 Anchorage, AK 99503

Jack Laasch Natchiq Vice President Government Affairs 3900 C Street, Ste 701 Anchorage, AK 99503 George Vaught, Jr. PO Box 13557 Denver, CO 80201-3557

John Levorsen 200 North 3rd Street, #1202 Boise, ID 83702

Samuel Van Vactor Economic Insight Inc. 3004 SW First Ave. Portland, OR 97201

Jim Arlington Forest Oil 310 K Street, Ste 700 Anchorage, AK 99501

Ed Jones Aurora Gas, LLC Vice President 1029 West 3rd Ave., Ste 220 Anchorage, AK 99501

Susan Hill State of Alaska, ADEC EH 555 Cordova Street Anchorage, AK 99501

Tim Ryherd State of Alaska Department of Natural Resources 550 West 7th Ave., Ste 800 Anchorage, AK 99501

John Harris NI Energy Development Tubular 3301 C Street, Ste 208 Anchorage, AK 99503

Mark Hanley Anadarko 3201 C Street, Ste 603 Anchorage, AK 99503

Baker Oil Tools 4730 Business Park Blvd., #44 Anchorage, AK 99503 Jerry Hodgden Hodgden Oil Company 408 18th Street Golden, CO 80401-2433

Kay Munger Munger Oil Information Service, Inc PO Box 45738 Los Angeles, CA 90045-0738

Thor Cutter OW-137 US EPA egion 10 1200 Sixth Ave. Seattle, WA 98101

Duane Vaagen Fairweather 715 L Street, Ste 7 Anchorage, AK 99501

Richard Mount State of Alaska Department of Revenue 500 West 7th Ave., Ste 500 Anchorage, AK 99501

Cammy Taylor 1333 West 11th Ave. Anchorage, AK 99501

Trustees for Alaska 1026 West 4th Ave., Ste 201 Anchorage, AK 99501-1980

Ciri Land Department PO Box 93330 Anchorage, AK 99503

Schlumberger
Drilling and Measurements
3940 Arctic Blvd., Ste 300
Anchorage, AK 99503

Rob Crotty C/O CH2M HILL 301 West Nothern Lights Blvd Anchorage, AK 99503 Judy Brady Alaska Oil & Gas Associates 121 West Fireweed Lane, Ste 207 Anchorage, AK 99503-2035 Arlen Ehm 2420 Foxhall Dr. Anchorage, AK 99504-3342 Greg Noble
Bureau of Land Management
Energy and Minerals
6881 Abbott Loop Rd
Anchorage, AK 99507

Rose Ragsdale & Associates 3320 E. 41st Ave Anchorage, AK 99508

Jeff Walker US Minerals Management Service Regional Supervisor 949 East 36th Ave., Ste 308 Anchorage, AK 99508 Jill Schneider US Geological Survey 4200 University Dr. Anchorage, AK 99508

Richard Prentki US Minerals Management Service 949 East 36th Ave., 3rd Floor Anchorage, AK 99508 Jim Scherr US Minerals Management Service Resource Evaluation 949 East 36th Ave., Ste 308 Anchorage, AK 99508 Paul L. Craig Trading Bay Energy Corp 5432 East Northern Lights, Ste 610 Anchorage, AK 99508

Thomas R. Marshall, Jr. 1569 Birchwood Street Anchorage, AK 99508 Chuck O'Donnell Veco Alaska,Inc. 949 East 36th Ave., Ste 500 Anchorage, AK 99508 Gordon Severson 3201 Westmar Cr. Anchorage, AK 99508-4336

Jim Ruud Phillips Alaska, Inc. Land Department PO Box 100360 Anchorage, AK 99510 Kristen Nelson IHS Energy PO Box 102278 Anchorage, AK 99510-2278 Jordan Jacobsen Alyeska Pipeline Service Company Law Department 1835 So. Bragaw Anchorage, AK 99515

Perry Markley
Alyeska Pipeline Service Company
Oil Movements Department
1835 So. Bragaw - MS 575
Anchorage, AK 99515

Robert Britch, PE Northern Consulting Group 2454 Telequana Dr. Anchorage, AK 99517 Jeanne Dickey
BP Exploration (Alaska), Inc.
Legal Department
PO Box 196612
Anchorage, AK 99518

David Cusato 600 West 76th Ave., #508 Anchorage, AK 99518 Tesoro Alaska Company PO Box 196272 Anchorage, AK 99519 Jack Hakkila PO Box 190083 Anchorage, AK 99519

Bill Bocast
PACE Local 8-369
c/o BPX North Slope, Mailstop P-8
PO Box 196612
Anchorage, AK 99519

J. Brock Riddle
Marathon Oil Company
Land Department
PO Box 196168
Anchorage, AK 99519-6168

Kevin Tabler Unocal PO Box 196247 Anchorage, AK 99519-6247

Sue Miller BP Exploration (Alaska), Inc. PO Box 196612 Anchorage, AK 99519-6612 BP Exploration (Alaska), Inc. Land Manager PO Box 196612 Anchorage, AK 99519-6612 Dudley Platt
D.A. Platt & Associates
9852 Little Diomede Cr.
Eagle River, AK 99577

Bob Shavelson Cook Inlet Keeper PO Box 3269 Homer, AK 99603 Peter McKay 55441 Chinook Rd Kenai, AK 99611 Shannon Donnelly Phillips Alaska, Inc. HEST-Enviromental PO Box 66 Kenai, AK 99611 Kenai Peninsula Borough Economic Development Distr 14896 Kenai Spur Hwy #103A Kenai, AK 99611-7000

Claire Caldes
US Fish & Wildlife Service
Kenai Refuge
PO Box 2139

Soldotna, AK 99669

John Tanigawa Evergreen Well Service Company PO Box 871845 Wasilla, AK 99687

Cliff Burglin PO Box 131 Fairbanks, AK 99707

Williams Thomas
Arctic Slope Regional Corporation
Land Department
PO Box 129
Barrow, AK 99723

Lt Governor Loren Leman State of Alaska PO Box 110015 Juneau, AK 99811-0015 Penny Vadla Box 467 Ninilchik, AK 99639

James Gibbs PO Box 1597 Soldotna, AK 99669

Charles Boddy
Usibelli Coal Mine, Inc.
100 Cushman Street, Suite 210
Fairbanks, AK 99701-4659

Harry Bader State of Alaska Department of Natural Resources 3700 Airport Way Fairbanks, AK 99709

North Slope Borough PO Box 69 Barrow, AK 99723 Marc Kovac PACE 8-369, Prudhoe Bay Vice-Chair PO Box 2973 Seward, AK 99664

Kenai National Wildlife Refuge Refuge Manager PO Box 2139 Soldotna, AK 99669-2139

Richard Wagner PO Box 60868 Fairbanks, AK 99706

Bernie Karl K&K Recycling Inc. PO Box 58055 Fairbanks, AK 99711

Kurt Olson State of Alaska Staff to Senator Tom Wagoner State Capitol Rm 427 Juneau, AK 99801

Mailed 3.10.03- Legislative Allairs Agency